

ARIZONA VETERANS SERVICE COMMISSION

Internal Management Policy 95-01

Subject: ADA Policy and Grievance Procedure

The Americans with Disabilities Act - Title II

Effective Date: April 17, 1995

1.0 Purpose

The Arizona Veterans Service Commission (AVSC) is committed to a policy of non-discrimination on the basis of a disability. In keeping with a policy of maintaining its legal and moral obligation, AVSC shall comply with the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990. The following procedures are designed to provide for prompt and equitable resolutions of complaints alleging non-compliance with Title II of ADA, or discrimination on the basis of disability in the provision of services, activities or programs by the Arizona Veterans Service Commission.

2.0 Authority

The ADA (28 CFR 35.107 (b)) authorizes and requires the Commission to adopt and publish grievance procedures for complaints alleging ADA violations.

3.0 Complaints

A person or a specific class of individuals or their representative may file a complaint alleging discrimination on the basis of disability within fifteen days of the alleged act(s) of discrimination.

3.1. The complaint must be in writing and contain the name, address and telephone number of the individual or the representative filing the complaint.

3.2. The complaint should describe the Commission's alleged discriminatory action in sufficient detail including the nature and date of the alleged violation.

3.3. The complaint must be signed by the complainant or by someone authorized to do so on his or her behalf.

3.4. Complaints filed on behalf of classes or third parties must describe or identify the alleged victims of discrimination.

3.5. The complaint should be directed to:

Arizona Veterans Service Commission
ADA Coordinator
3225 North Central, Suite 910
Phoenix, AZ 85012
Telephone: (602) 255-3373

4.0 Investigations

- 4.1. The ADA Coordinator is encouraged to immediately acknowledge receipt of a grievance and must review the grievant's issues and facts pertinent thereto as well as applicable policies and procedures prior to making a written response. Within ten (10) working days from receipt of the complaint, the ADA Coordinator will meet with the complainant to discuss the complaint and possible resolution(s). The ADA Coordinator is charged with contacting the Arizona Office for Americans with disabilities for counsel and technical assistance.
- 4.2. Within ten (10) working days after the meeting, the ADA Coordinator will respond in writing to the complainant. The response will explain the position of the Arizona Veterans Service Commission and offer options for substantive resolution of the complaint.
- 4.3. If the response does not satisfactorily resolve the issue, the complainant and/or his/her representative may appeal the ADA Coordinator's decision to the AVSC Director or his representative within ten (10) working days after receipt of the response.
- 4.4. The AVSC Director or his representative has the discretion to establish a meeting within ten (10) working days with the complainant and/or the ADA Coordinator after receipt of the appeal to discuss the complaint and possible resolution(s). The AVSC Director may involve the Arizona Office of Americans with Disabilities. Within ten (10) working days after the meeting or after receipt of the appeal, the AVSC Director or his representative will respond in writing with a final resolution of the complaint.
- 4.5. Exhaustion of the Commission's grievance procedure is not a prerequisite to filing a complaint with either a federal agency or a court.

5.0 Amendments

If additional documentation is submitted by the grievant after the initiation of the investigation, the reviewing official may extend by ten (10) working days, from receipt of additional documents, the required written response to the grievant.

6.0 Confidentiality

Any discussion regarding the grievance should be restricted to those individuals who are responsible for responding to the complaint and those having knowledge pertinent to the investigation, resolution and/or response.

7.0 Reprisal


No person shall directly or indirectly use any official authority or influence in any manner to discourage the use of this procedure nor shall any grievant suffer reprisal in any form as a result of using this procedure.

8.0 Records

The ADA Coordinator shall maintain the files and records of the Arizona Veterans Service Commission relating to complaints filed for a period of three years.

9.0 Accessibility

The ADA Coordinator will ensure accessibility during the complaint process, including provisions of sign language interpreter(s) and print data access such as large print, Braille or audio tape(s).



Norman O. Gallion, Director
Arizona Veterans Service Commission